

No.

EM 012043154

**DECLARATION AND POWER
OF ATTORNEY FOR UTILITY
OR DESIGN**

PATENT APPLICATION

☒ Declaration ☐ Declaration
Submitted with Submitted after Initial
Initial Filing Filing (surcharge
37 CFR 1.16(e) required)

Attorney Docket No. ATV-005

First Named Inventor Yamane et al.

COMPLETE IF KNOWN

Application Serial Number Not Yet Assigned

Filing Date Herewith

Group Art Unit Not Yet Assigned

Examiner Name Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

WEB SERVER CONTENT REPLICATION

(Title of the Invention)

the specification of which

☒ is attached hereto
OR

☐ was filed on
(MM/DD/YYYY)

as United States Application Serial Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Serial Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.
60/117,674	1/28/99	

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/086,821	5/29/98	
09/086,836	5/29/98	
09/086,874	5/29/98	
09/087,263	5/29/98	

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer
Number Bar Code
Label Here

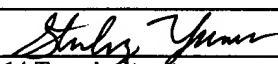
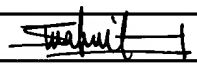
Name	Registration Number	Name	Registration Number
Steven M. Bauer	31,481	Kurt W. Lockwood	40,704
Isabelle A.S. Blundell	43,321	Marianne McLaughlin	42,870
Maureen A. Bresnahan	P-44,559	Thomas C. Meyers	36,989
Michael H. Brodowski	41,640	Joseph B. Milstein	42,897
Tara C. Cacciabauda	40,935	Ronda P. Moore	44,244
Jennifer A. Camacho	43,526	Edmund R. Pitcher	27,829
Joseph A. Capraro, Jr.	36,471	Dianne M. Rees	P-45,281
John J. Cotter	38,116	Kurt Rauschenbach	40,137
Jennifer L. Dupre	41,722	Michael A. Rodriguez	41,274
John V. Forcier	42,545	Michael J. Schmelzer	43,093
Michael Giannetta	42,574	J. Scott Southworth	39,382
Duncan A. Greenhalgh	38,678	Christopher W. Stamos	35,370
William G. Guerin	41,047	Robert J. Tosti	35,393
Ira Heffan	41,059	Thomas A. Turano	35,722
Danielle L. Herritt	43,670	Michael J. Twomey	38,349
Elizabeth E. Kim	43,334	Christine C. Vito	39,061
Mi Kim	P-44,830	Patrick R.H. Waller	41,418
Douglas J. Kline	35,574		
John D. Lanza	40,060		
Timothy P. Linkkila	40,702		

☐ Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.

Direct all correspondence to:

Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
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Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])						Family Name or Surname			
Stanley						Yamane			
Inventor's Signature						Date		8/5/1999	
Street Address		14 Temple Street				Citizenship		USA	
		City	Framingham	State	MA	Zip	01712	Country	USA
Post Office Address		14 Temple Street							
		City	Framingham	State	MA	Zip	01712	Country	USA
Name of Second Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])						Family Name or Surname			
Swapnil						Shah			
Inventor's Signature						Date		8/5/99	
Street Address		467 Sudbury Road				Citizenship			
		City	Concord	State	MA	Zip	01742	Country	USA
Post Office Address		467 Sudbury Road							
		City	Concord	State	MA	Zip	01742	Country	USA
<input type="checkbox"/> Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) attached hereto.									
Name of Third Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])						Family Name or Surname			
Keith						Weng			
Inventor's Signature						Date			
Street Address		541 Hill Street, Apt. B				Citizenship			
		City	San Francisco	State	CA	Zip	94114	Country	USA
Post Office Address		541 Hill Street, Apt. B							
		City	San Francisco	State	CA	Zip	94114	Country	USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Fourth Inventor:				<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname					
Arthur				Mateos					
Inventor's Signature					Date				
Street Address		261 Broadway			Citizenship				
		City	Arlington	State	MA	Zip	02174	Country	USA
Post Office Address		261 Broadway							
		City	Arlington	State	MA	Zip	02174	Country	USA
Name of Fifth Inventor:				<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname					
Marco				Lara					
Inventor's Signature		<i>Marco L. Lara</i>			Date				
Street Address		21 Wildes Road			Citizenship		Guatemala		
		City	Topsfield	State	MA	Zip	01983	Country	USA
Post Office Address		21 Wildes Road							
		City	Topsfield	State	MA	Zip	01983	Country	USA
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) attached hereto.									
Name of Sixth Inventor:				<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname					
Jason				DeBettencourt					
Inventor's Signature		<i>Jason DeBettencourt</i>			Date		8/5/1999		
Street Address		835 Edgell Road			Citizenship		USA		
		City	Framingham	State	MA	Zip	01701	Country	USA
Post Office Address		835 Edgell Road							
		City	Framingham	State	MA	Zip	01701	Country	USA

STATEMENT ~~NO~~ **EM 6013 431545** ~~CLAIMING SMALL ENTITY STATUS~~
(37 CFR 1.9(f) & 1.27(c))-- SMALL BUSINESS CONCERN

Attorney Docket No. ATV-005

Applicant, Patentee, or Identifier: **Yamane et al.**
Application or Patent No.: **Not Yet Assigned**
Filed or Issued: **Herewith**
Title: **WEB SERVER CONTENT REPLICATION**

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: WebSpective Software, Inc..ADDRESS OF SMALL BUSINESS CONCERN: 66 B Street, Needham, Massachusetts 02194.

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d) and 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

NAME OF PERSON SIGNING **Glenn D. House, Sr.**TITLE OF PERSON IF OTHER THAN OWNER **President & CEO**ADDRESS OF PERSON SIGNING **WebSpective Software, Inc., 66 B Street, Needham, MA 02194**SIGNATURE 

DATE

8/5/99